



Senate

General Assembly

File No. 227

February Session, 2014

Substitute Senate Bill No. 297

Senate, April 1, 2014

The Committee on General Law reported through SEN. DOYLE of the 9th Dist., Chairperson of the Committee on the part of the Senate, that the substitute bill ought to pass.

AN ACT ESTABLISHING AN OFF-SITE FARM WINERY SALES AND TASTING PERMIT.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

- 1 Section 1. (NEW) (*Effective July 1, 2014*) (a) The Commissioner of
- 2 Consumer Protection shall issue an off-site farm winery sales and
- 3 tasting permit to a holder of a manufacturer permit for a farm winery
- 4 upon the holder's submission of proof to the commissioner that the
- 5 holder is in compliance with the requirements of subsection (e) of
- 6 section 30-16 of the general statutes. An off-site farm winery sales and
- 7 tasting permit shall authorize the sale and offering of free samples of
- 8 wine manufactured from the farm winery during a total of not more
- 9 than seven events or functions per year held pursuant to a temporary
- 10 liquor permit issued pursuant to section 30-35 of the general statutes, a
- 11 charitable organization permit issued pursuant to section 30-37b of the
- 12 general statutes or a nonprofit corporation permit issued pursuant to
- 13 section 30-37h of the general statutes, at locations outside the
- 14 manufacturer permit for a farm winery holder's permit premises,

15 provided such holder: (1) Notifies the Department of Consumer
16 Protection, on a form prescribed by the Commissioner of Consumer
17 Protection, not less than five business days prior to the date of the
18 event or function, of the date, hours and location of each event or
19 function, (2) sells only wine by the bottle at the event or function, and
20 (3) is present, or has an authorized representative present, at the time
21 of the sale of any bottle of wine or the offering of a free sample of wine
22 from the farm winery at the event or function. An off-site farm winery
23 sales and tasting permit shall be valid for a period of one year from the
24 date of issuance. The annual fee for such permit shall be two hundred
25 fifty dollars. There shall be a one-hundred-dollar nonrefundable filing
26 fee for any such permit.

27 (b) Any town or municipality may, by ordinance or zoning
28 regulation, prohibit the sale or offering of free samples of wine by the
29 holder of an off-site farm winery sales and tasting permit at an event or
30 function held in such town or municipality.

This act shall take effect as follows and shall amend the following sections:		
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Section 1	<i>July 1, 2014</i>	New section
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GL *Joint Favorable Subst.*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note**State Impact:**

Agency Affected	Fund-Effect	FY 15 \$	FY 16 \$
Consumer Protection, Dept.	GF - Revenue Gain	Up to 10,000	Up to 10,000

Municipal Impact: None

Explanation

The bill results in an increase in the alcoholic beverages and sales tax revenues of up to \$10,000 annually

The Out Years

The annualized ongoing fiscal impact identified above would continue into the future subject to inflation.

OLR Bill Analysis**sSB 297*****AN ACT ESTABLISHING AN OFF-SITE FARM WINERY SALES AND TASTING PERMIT.*****SUMMARY:**

This bill creates an off-site farm winery sales and tasting permit that allows farm winery permittees to sell bottles of wine and offer free wine samples manufactured on the farm at up to seven off-site events or functions per year (see COMMENT). The off-site farm winery sales permittee may offer these sales and tastings at events held by temporary liquor, charitable organization, or nonprofit permittees. These temporary or daily liquor permits allow noncommercial, charitable, and nonprofit organizations to sell alcohol at their events.

Before an off-site farm winery sales and tasting permittee holds an off-site tasting or wine sale, he or she must notify the Department of Consumer Protection (DCP), on a commissioner-prescribed form, and five days or more in advance, of the date, hours, and location of each event or function. The permittee or authorized representative must be present whenever any bottle of wine is sold or a free sample is offered.

Under the bill, the DCP commissioner must issue an off-site farm winery sales and tasting permit to a farm winery permittee who submits proof that he or she is complying with the farm winery statutes. The permit is valid for one year and has a \$250 annual fee with a \$100 nonrefundable filing fee. (It is unclear whether the nonrefundable filing fee must be paid annually.)

Any town or municipality may prohibit the selling of bottles of wine or offering of free wine samples by a holder of an off-site farm winery sales permit through an ordinance or zoning regulation.

EFFECTIVE DATE: July 1, 2014

COMMENT***Holding Two Liquor Permits***

The law prohibits holders of one class of permit from also holding another of class of permit, unless they are specifically allowed by statute to do so (CGS § 30-48(a)).

For example, the holder of a manufacturing class permit cannot also hold a retail class permit.

COMMITTEE ACTION

General Law Committee

Joint Favorable Substitute

Yea 17 Nay 0 (03/18/2014)